

Council on Postsecondary Education
Committee on Equal Opportunities
June 26, 2002

Process for Granting a Waiver
Template for Waiver Materials Submission

Action: The staff recommends that the committee adopt the template for submitting institutional requests for a qualitative waiver.

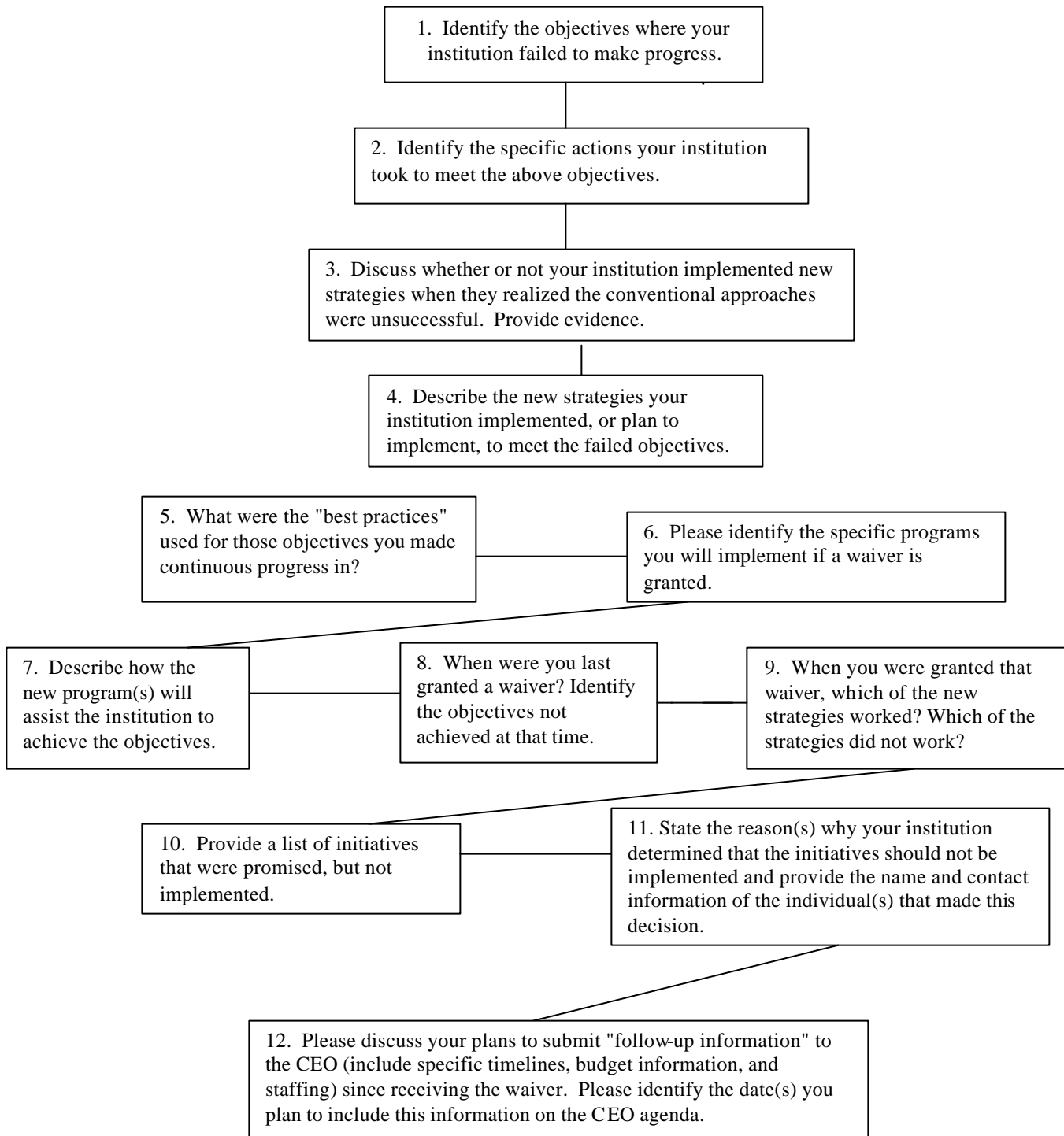
The Committee on Equal Opportunities appointed a subcommittee to review the waiver provisions of SB 398 and report its findings to the committee at the February 2002 meeting. The subcommittee's recommendations were adopted.

The subcommittee was then asked to develop a template that would be used by institutions to submit requests to the committee for a qualitative waiver. The recommended template is included as Attachment A. The committee recommendations are included as Attachment B.

Staff preparation by Rana Johnson and Sherron Jackson

Attachment A

Template for Submitting the Request for a Qualitative Waiver



Granting of Qualitative Waivers Process Improvements Adopted by the CEO

The Committee on Equal Opportunities adopted the following suggestions to improve the process for reviewing requests by institutions to be granted a qualitative waiver.

- The CEO should begin having a study session on the Sunday afternoon prior to a regular meeting to discuss issues and develop more camaraderie. The first study session should be held Sunday, April 14, 2002. The session should cover information about the history of Kentucky desegregation planning, establishment of the CEO, passage of SB 398, and establishing the waiver process.
- Council staff should include a comparative summary of institution performance, status of recommendations from campus visits, and past actions of institutions to implement programs promised when requesting a waiver in a prior year.
- Include the institutions' written request as an appendix to the staff report.
- The CEO should consider placing a limit on the number of programs that an institution may implement under the waiver provisions.
- Develop a template for institutional submission of the request for a waiver. As part of the waiver review process, ask requesting institutions to provide specific actions, timelines, and outcome measures rather than general information on each of the 10 items listed in 13 KAR 2:060. If an institution has received a waiver in the prior four years, require the report to include the status of the specific programs implemented to support granting of waivers in the prior years.
- Alter the approval process for granting of a waiver. Possible strategies:
 - Make the granting of a waiver a two step process.
 - Institutions would present plans for improvement at one meeting; then the CEO would vote on the request at a second meeting – after the institution presented evidence of success.
 - The CEO should allow approximately 60 days between the presentation by an institution and voting on the request for a waiver.
- Institutions should be required to return and make a full presentation of progress after the conclusion of the waiver period. This should include reports of actions taken by the institutions to implement recommendations made at the most recent campus visit by the CEO.
- The CEO should give a regular report at each council meeting so that the issues of equity and EEO compliance take on a more prominent role.
- CEO members should become experts on a particular institution.
- Members of the CEO should have a term limit.